

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
NAVID AFSHAR  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
Navid\_Afshar@fd.org

6 Attorney for Daniel Plata

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DANIEL PLATA AND  
14 JONATHAN PAVON

15 Defendant.  
16

Case No. 2:20-cr-00032-JCM-EJY

**STIPULATION TO CONTINUE  
DEADLINE FOR SENTENCING  
MEMORANDUM**  
(Second Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
18 United States Attorney, and Jean Ripley, Assistant United States Attorney, counsel for the  
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Navid Afshar,  
20 Assistant Federal Public Defender, counsel for Daniel Plata, and Theresa A. Ristenpart, counsel  
21 for Jonathan Pavon, that the Sentencing Memorandum deadline for Tuesday, November 1,  
22 2022, be continued to Wednesday, November 2, 2022.

23 The Stipulation is entered into for the following reasons:

24 1. Due to an unexpected issue, counsel was unable to file the memorandum on  
25 11/1/22. ECF No. 87.  
26

2. After discussion with government, there was agreement to file it on 11/2/2022 instead. Counsel is filing the memorandum contemporaneous to this stipulation.

3. Defendant is not in custody.

4. The parties agree to the continuance.

5. The additional time requested is not sought for purposes of delay, but merely to allow counsel sufficient time within which to be able to effectively and thoroughly complete the memorandum.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

This is the second stipulation to continue.

DATED this 2<sup>nd</sup> day of November 2022.

RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

By /s/ Navid Afshar

By /s/ Jean Ripley

NAVID AFSHAR  
Assistant Federal Public Defender  
Counsel for Daniel Plata

JEAN RIPLEY  
Assistant United States Attorney

/s/ Theresa A. Ristenpart

By \_\_\_\_\_  
THERESA A. RISTENPART  
Counsel for Jonathan Pavon

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

9  
10 FINDINGS OF FACT

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13 1. Counsel waiting for confirmation on information relevant to sentencing  
14 memorandum. Counsel will file memorandum as soon as received.

15 2. Defendants are not in custody.

16 3. The parties agree to the continuance.

17 4. The additional time requested is not sought for purposes of delay, but merely to  
18 allow counsel sufficient time within which to be able to effectively and thoroughly complete  
19 the memorandum.

20 5. Additionally, denial of this request for continuance could result in a miscarriage  
21 of justice. The additional time requested by this Stipulation is excludable in computing the time  
22 within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States  
23 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
24 Section 3161(h)(7)(B)(i), (iv).  
25  
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